

Testimony by Barry Fadem, President of National Popular Vote--Feb. 24, 2014

The National Popular Vote bill would guarantee the Presidency to the candidate who receives the most popular votes in all 50 states and the District of Columbia.

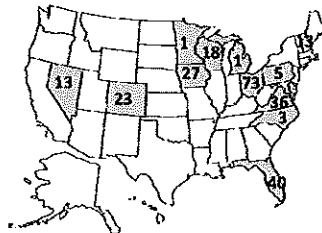
The National Popular Vote bill has been enacted by 10 jurisdictions possessing 136 electoral votes—50.4% of the 270 electoral votes necessary to activate it, including four small jurisdictions (Rhode Island, Vermont, Hawaii, and DC), three medium-size states (Maryland, Washington, and Massachusetts), and three big states (New Jersey, Illinois, and California).

The bill has passed 33 legislative chambers in 22 states—most recently the Oklahoma Senate by a 28–18 vote. The bill has also passed chamber(s) in Arkansas, Colorado, Connecticut, Delaware, Maine, Michigan, Nevada, New Mexico, New York, North Carolina, and Oregon.

The bill has been endorsed by 2,124 state legislators.

The shortcomings of the current system of electing the President stem from state winner-take-all statutes (i.e., state laws that currently exist in 48 states that award all of a state's electoral votes to the candidate receiving the most popular votes in each separate state).

Because of these state winner-take-all statutes, candidates have no reason to pay attention to the issues of concern to voters in states where the statewide outcome is a foregone conclusion. Thus, four out of five states were ignored in the 2012 presidential election (see map below). Four states received two-thirds of the 253 events (Ohio, Florida, Virginia, and Iowa).



The winner-take-all rule has permitted candidates to win the Presidency without winning the most popular votes nationwide in four of our 57 presidential elections—1 in 14 times. A shift of 59,393 votes in Ohio in 2004 would have elected John Kerry despite President Bush's nationwide lead of over 3,000,000 votes. A shift of 214,393 votes in 2012 would have elected Mitt Romney despite President Obama's nationwide lead of almost 5,000,000 votes.

Article II, Section 1 of the U.S. Constitution gives the states exclusive control over awarding their electoral votes: "Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors...." The winner-take-all rule was used by only three states in 1789.

Under the National Popular Vote interstate compact, all the electoral votes from the enacting states would be awarded to the presidential candidate who receives the most popular votes in all 50 states (and DC). The bill would take effect only when enacted by states possessing a majority of the electoral votes—that is, enough electoral votes to elect a President (270 of 538).

The bill ensures that *every* vote, in *every* state, will matter in *every* presidential election.

The National Popular Vote bill preserves the Electoral College and state control of elections.

Our National Advisory Board includes former Senators Jake Garn (R–UT), Birch Bayh (D–IN), and David Durenberger (R–MN); former Cong. John Anderson (R–IL, I), John Buchanan (R–AL), Tom Campbell (R–CA), and Tom Downey (D–NY). Other supporters include former Senator Fred Thompson (R–TN), Governor Jim Edgar (R–IL), Cong. Tom Tancredo (R–CO), Governor Howard Dean (D–VT), and U.S. House Speaker Newt Gingrich (R–GA).

Additional information is available in our book *Every Vote Equal: A State-Based Plan for Electing the President by National Popular Vote* and at www.NationalPopularVote.com.